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Attorneys for Defendant Gary Moore

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

RONNIE MONTROSE, an individual,

Plaintiff;

v.

GARY MOORE, an individual,

Defendant.

Case No. CV-09-02146 BZ

**APPLICATION AND ~~PROPOSED~~ ORDER
 PERMITTING TELEPHONIC APPEARANCE
 AT CASE MANAGEMENT CONFERENCE,
 OR IN THE ALTERNATIVE, TO CONTINUE
 THE CASE MANAGEMENT CONFERENCE**

Date: October 5, 2009
 Time: 4:00 p.m.
 Dept.: Courtroom G, 15th Fl.
 450 Golden Gate Ave.
 San Francisco, CA
 Judge: Hon. Mag. Judge Bernard Zimmerman

William J. Goines of Greenberg Traurig, LLP (“Applicant”) counsel of record for Defendant Gary Moore hereby applies to this court for permission to appear telephonically at the Case Management Conference scheduled in the above-entitled action on Monday, October 5, 2009 at 4:00 p.m., or, in the alternative, requests that this court reschedule the Case Management Conference to a date subsequent to November 5, 2009, when this court will hear Defendant’s Motion to Quash Service of Summons and Dismiss for Lack of Personal Jurisdiction.

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1 This application is made on the grounds that Applicant attempted to contact Laurence Lichter,
2 the new counsel for Plaintiff Ronnie Montrose, to discuss entering into a Stipulation to Continue
3 Case Management Conference, but has not yet received a return call.

4 Defendant's status as a party in this action is at issue with this court. Plaintiff has just
5 obtained new counsel to represent him in these proceedings. Neither party has filed a Case
6 Management Statement with regard to the upcoming October 5, 2009 Case Management Conference.
7 Until a determination has been made as to Defendant's pending motion with this court, no
8 meaningful discussion can be had between the parties as to case management or discovery-related
9 issues. Applicant would like to avoid travel at the expense of our client to appear in person at the
10 Case Management Conference in this instance, and applies to the court for permission to appear
11 telephonically, either by a telephone call placed to Applicant by the court clerk at the time of the
12 hearing at (650) 289-7860; or approve a telephonic appearance to be placed through the services of
13 CourtCall.

14 Wherefore, Applicant requests that this court issue its Order permitting a telephonic
15 appearance by Applicant at the October 5, 2009 Case Management Conference; or, in the alternative,
16 that the court reschedule the Case Management Conference to a date subsequent to November 5,
17 2009.

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19 Dated: October 2, 2009.

GREENBERG TRAURIG, LLP

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21 By: /s/ William J. Goines

William J. Goines

Karen Rosenthal

Cindy Hamilton

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23 Attorneys for Defendant, Gary Moore
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[PROPOSED] ORDER

IT IS HEREBY ORDERED that William J. Goines, counsel for Defendant Gary Moore, is hereby authorized to appear telephonically at the Case Management Conference scheduled for October 5, 2009 at 4:00 p.m. At the time the court is ready to hear the Case Management Conference in the above entitled matter, the Court Clerk will place a call to Mr. Goines at (650) 289-7860 [or, Mr. Goines is permitted to schedule a telephonic appearance for the Case Management Conference through the services of CourtCall]; or, [the Case Management Conference is hereby continued to 11/6/2009 ____, 2009 at 4:00 p.m.]

Dated: Oct. 2, 2009

